

A Brief History of
CORPORATE
RESISTANCE
to the
GREEN BUILDING
MOVEMENT

greenwash
ACTION

greenwashaction.org

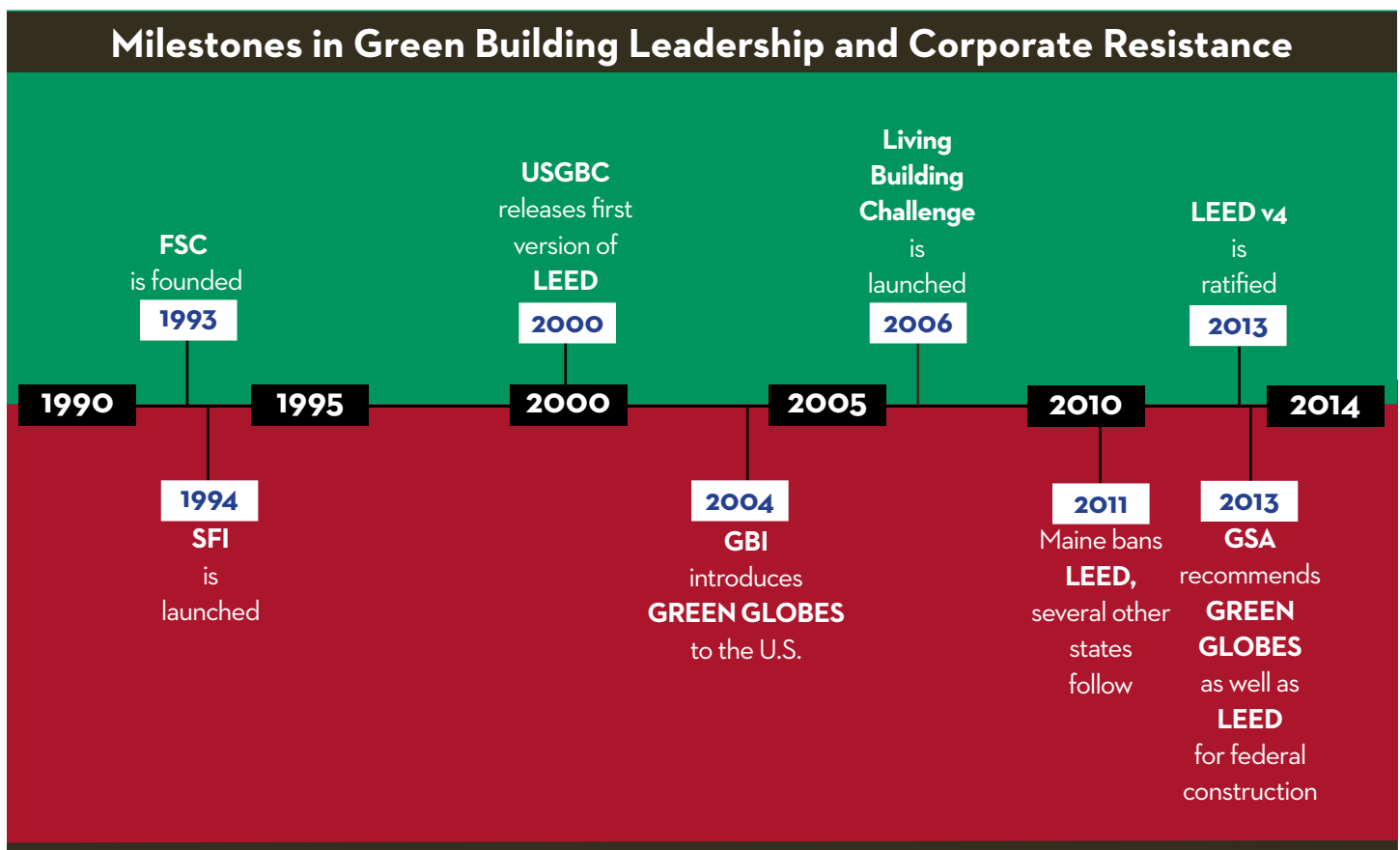


GREENPEACE

The history of corporate attacks on the green building movement goes back at least twenty years . . .

What follows are selected milestones in the history of green building and in corporate resistance to the movement that drives it. These events are part of a larger pattern of **positive action** and **negative reaction** that is playing out worldwide. There are now literally millions of organizations working on issues of social justice and ecological sustainability. In the words of author and environmentalist **Paul Hawken**, “[This is] more than a movement - it’s humanity’s immune response to the despoliation of the environment, the degradation of living systems, the corruption we see in economic systems, and the pollution by the industrial system.”¹

We hope that readers will come away with a better understanding of the major struggles and controversies that the green building movement faces today, and that this in turn will provide a basis for informed action. Green building is an important part of “the solution,” and how the issues are addressed and the key conflicts resolved is of consequence to us all.



¹ From “A Fierce Green Fire: The Battle for a Living Planet,” a 2013 documentary film by Mark Kitchell. See also Hawken’s book, “Blessed Unrest: How the Largest Social Movement in History Is Restoring Grace, Justice, and Beauty to the World.” Penguin, 2007.

1993



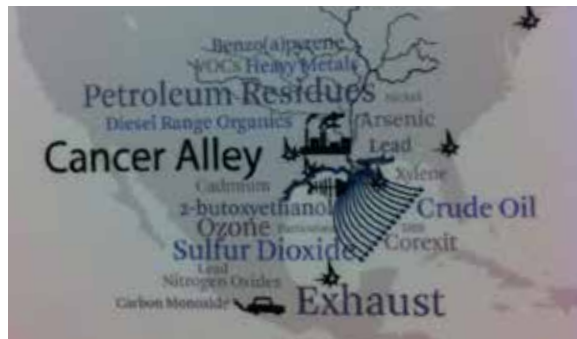
In 1993, environmental groups, forward-thinking companies, and social interest groups concerned about the destruction of the world's forests come together to form the **Forest Stewardship Council (FSC)**. FSC's goal was and is to promote environmentally and socially responsible forest management practices globally. FSC's governance system is organized into three chambers with equal power - an environmental chamber concerned with protecting forest ecosystems, an economic chamber concerned with making a profit from forest products, and a social chamber concerned with human and worker rights.

1994



In 1994, galvanized by this new organization that gives environmentalists and social advocates a say in how forests should be managed, major North American timber companies, under the umbrella of their trade association, the **American Forest and Paper Association (AF&PA)**, form their own forestry rating system, calling it the **Sustainable Forestry Initiative (SFI)**. SFI essentially enshrines the timber industry status quo, routinely certifying as "sustainable" logging operations that do little more than meet regulatory requirements. Its basic purpose was and is to defend the practice of industrial forestry - large-scale clearcutting and chemically-intensive tree-farming - which underpins the profits of giant forest products companies. These practices are an efficient way to produce merchantable timber and pulpwood, but typically erode forest ecological health, biological diversity, soil and water quality, and the well-being of local communities.

Also in 1994



Also in 1994, Greenpeace documents widespread unreported dioxin² contamination at Louisiana vinyl manufacturing plants. Also known as polyvinyl chloride plastic or PVC, vinyl is used in many common building materials, including resilient flooring, carpet, windows, siding, and other applications. Because of high cancer rates in the poor communities in the vicinity, the area becomes known as "cancer alley."

² Dioxins are carcinogens and persistent bio-accumulative toxins (PBTs) that are created as unwanted byproducts during the manufacture and burning of chlorinated materials like vinyl and PVC.

1995



In 1995, in response to public embarrassment over “cancer alley,” the vinyl industry pledges \$1 million to Habitat for Humanity in Louisiana. This earns them the right to use the Habitat logo, identify themselves as “partners,” and call vinyl the “material of choice for those in need,”³ marking the beginning of a greenwashing campaign by the vinyl industry that continues to this day.

2000



In 2000, the green building movement takes a leap forward. **US Green Building Council** (USGBC), which had been founded seven years earlier, releases the first version of the **LEED** (Leadership in Energy and Environmental Design) green building rating system. LEED recognized how green a building is by awarding points in several categories: Sustainable Sites, Water Efficiency, Energy & Atmosphere, Materials & Resources, and Indoor Environmental Quality.

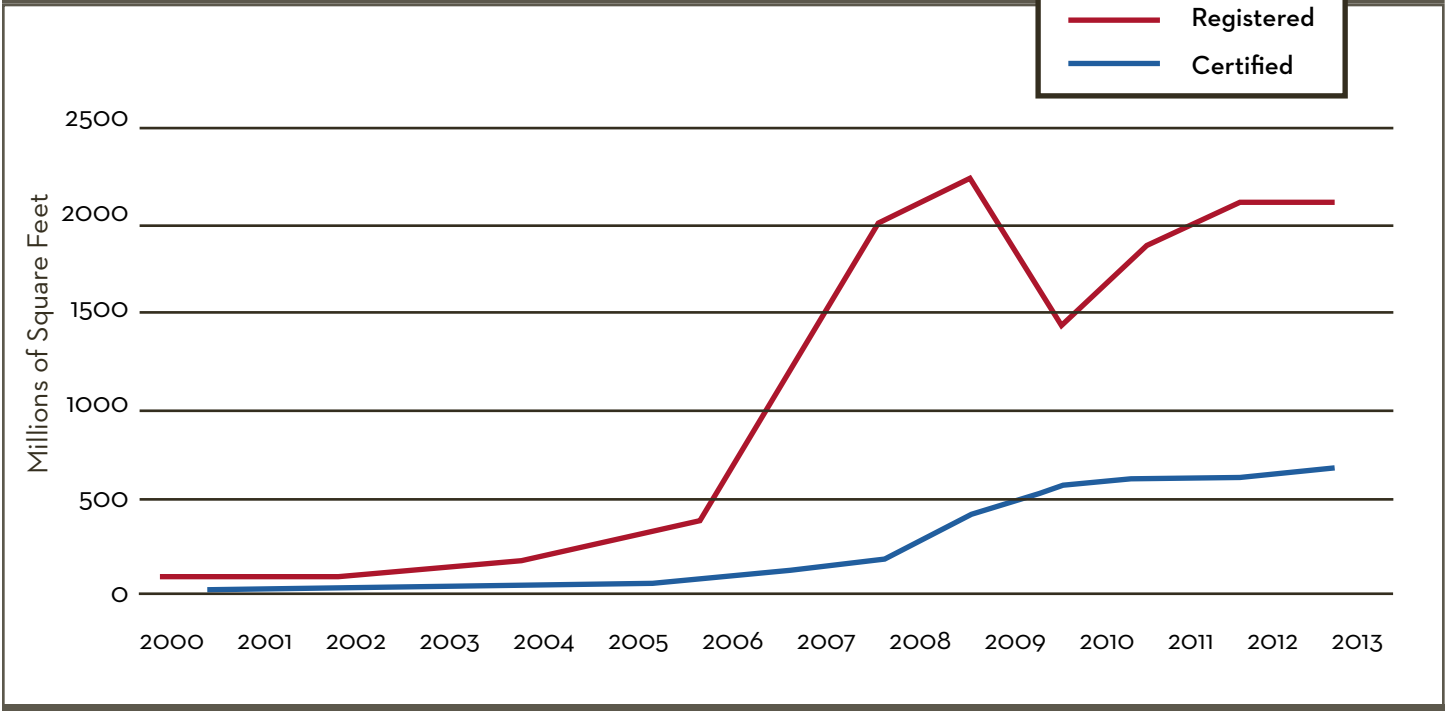
A basic concept of LEED is to award credit for using products or practices that meet the highest standards that already exist in the marketplace and credibly address various facets of green building.

A number of Materials & Resources credits address the upstream environmental impacts of sourcing and manufacturing building material, while other credits encourage recycling and reuse. One such credit rewards the products of responsible forestry, and USGBC chooses FSC as the reference standard.



³ “Healthy Building News”, by the Healthy Building Network (www.healthybuilding.net).

Growth of LEED Rating System

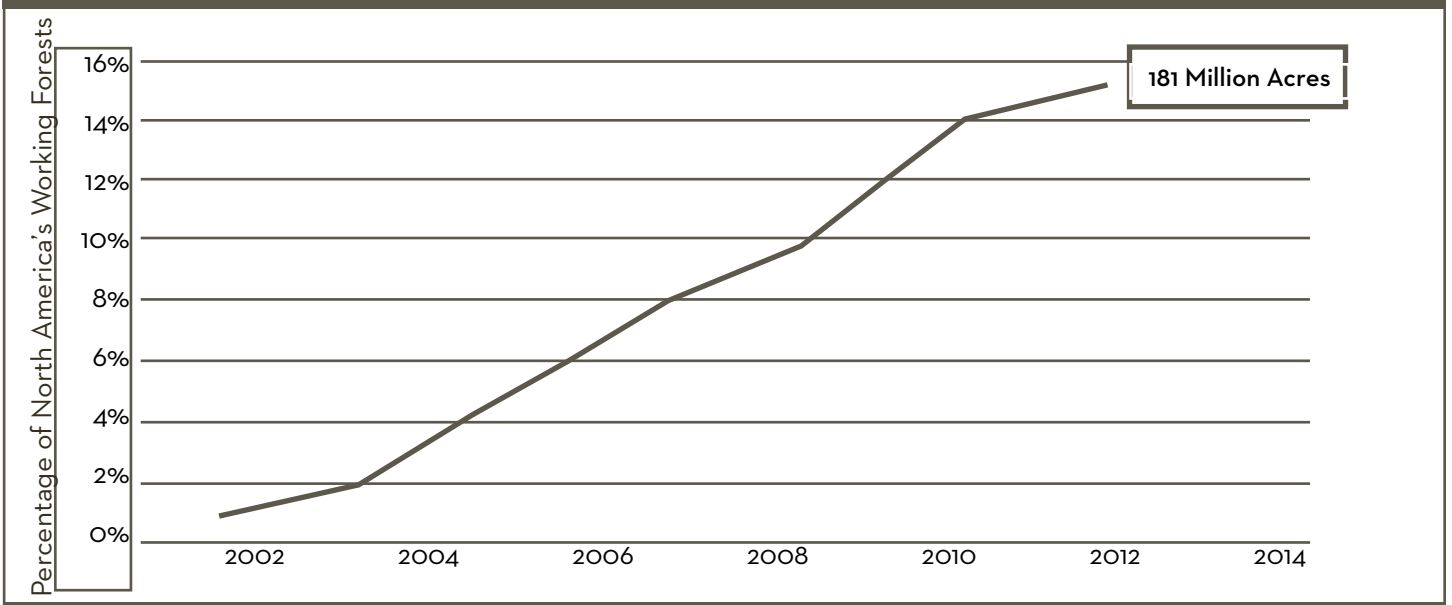


LEED catches fire among building owners and design professionals.

It becomes a focal point for green building practice and a template for other building rating systems around the country and around the world. As LEED users become accustomed to the credits, architects and designers use the rating system as a check list of green building strategies - not only for LEED projects, but for all projects.

In the forest sector, LEED's rapid growth creates strong market demand for FSC-certified wood products, and in turn helps drive a dramatic growth in the acreage of North American forest certified to FSC's high standards.

FSC Growth in North America



Through use of LEED, a large number of architects and designers become accustomed to specifying FSC, not only for wood in LEED projects but for building projects more generally.

Big timber companies like Weyerhaeuser and trade associations like AF&PA track LEED and FSC's growth trajectories with consternation. Henceforward they will pressure USGBC to recognize SFI and other industry-supported forest certification schemes, arguing that they are equivalent with FSC. So far though, they have been consistently voted down by USGBC members.

2002



In 2002, the documentary film **“Blue Vinyl”** is released. It uncovers the negative health impacts of the production, use and disposal of vinyl. The film makes a great impression on green building advocates because, in a way that is entertaining as well as informative, it exposes the link between some common building products and toxic chemicals in our environment. Awareness of and concern over healthy buildings, healthy building products, and healthy communities is raised to a new level.

Also in 2002

Also in 2002, the State of New York Department of Environmental Conservation finalizes a Green Building Tax Credit program for building owners who build or renovate using a list of green building materials - a list that does not include PVC flooring.

Not long thereafter



Not long thereafter, **The Resilient Floor Covering Institute** (RFCI), which represents manufacturers of vinyl flooring, sues the state of New York to get vinyl put on the “green materials” list. In response, the state attorney general’s office files a series of affidavits, including a 29-page document by a toxicologist summarizing 30 years of scientific data on the adverse environmental and health effects of polyvinyl chloride and its precursor, vinyl chloride monomer. Faced with having to defend under oath their assertion that vinyl has environmentally beneficial aspects, the RFCI backs down. According to some, RFCI’s attorneys do not want to risk being caught in a lie or creating a legal precedent, knowing that they would probably lose the case.⁴ In this case and others, RFCI displays a pattern of behavior that is typical of trade associations for industries that are challenged by the green building movement: the trade association does the dirty work while their member companies market themselves as “green” and pass themselves off as innocent and ignorant.

⁴ “Healthy Building News” (Fall 2003) by the Healthy Building Network.

2003



In 2003, USGBC forms a special task force to study whether to include a PVC-free or PVC-alternative credit in the LEED rating system. By the following year, both sides in the PVC/vinyl debate have weighed in. Evidence and comments come in from researchers, interested stakeholders, and public health advocacy groups like **Healthy Building Network** (HBN)⁵ and the **International POPS Elimination Network**⁶ that represent public health, environmental, consumer, and non-governmental organizations from around the world, who all assert that PVC is a significant hazard to human health and the environment and should be banned.⁷

In spite of this



In spite of this, under intense pressure from **The Vinyl Institute** and related industry trade groups, the USGBC decides not to adopt a PVC-free credit. The fallout from this debate continues to this day.

Also in 2003



Also in 2003, the General Services Administration (GSA), a federal agency and the nation's largest owner and developer of real estate, embraces LEED. All GSA projects are mandated to use and achieve LEED certification, paving the way for many other agencies including the departments of Energy and Defense to use LEED for federal building construction.

2004



In 2004, representatives of SFI companies and AF&PA join with their counterparts in the **American Chemistry Council**, The Vinyl Institute, and numerous other industry groups in bankrolling the launch of the **Green Building Initiative** (GBI). Under the leadership of Ward Hubbel, president of a PR firm and former VP of a major timber company, and following the same basic playbook established by SFI ten years earlier, GBI acquires the US distribution rights to **Green Globes**, a Canadian commercial

⁵ HBN focuses primarily on education and advocacy for the elimination of toxics from the built environment.

⁶ IPEN (www.IPEN.org) is a global network working to establish and implement safe chemicals policies and practices that protect human health and the environment around the world. POPs is the acronym for Persistent Organic Pollutants, the world's most dangerous chemicals, which are mandated for elimination and phaseout by the Stockholm Convention on Persistent Organic Pollutants.

⁷ See "Environmental Impacts of Polyvinyl Chloride (PVC) Building Materials" (2002), by Joe Thornton, PhD. (www.healthybuilding.net/pvc/ThorntonPVCSummary.html)

building rating system. Green Globes is weaker than LEED in many important respects. It sets a relatively low performance bar while purporting to be equivalent, thus providing a rallying point for the vested interests and their servants in PR and politics. Green Globes' goal was and is to protect the interests of its industry backers by confusing the marketplace and providing a reliable marketing vehicle for status quo timber and vinyl products.

2005



In 2005, GBI's backers support the **National Association of Home Builders** (NAHB) in developing "green" home-building guidelines drawing from the Green Globes standard. By 2007, NAHB evolves the guidelines into its **National Green Building Program**, establishing an industry-friendly alternative to LEED in the residential sector.

Also in 2005



Also in 2005, the GBI becomes the first green building organization to be accredited as a standards developer by the American National Standards Institute (ANSI), and begins the process of establishing Green Globes as an ANSI standard, which happens in 2010. Subsequently, GBI's supporters will argue that only ANSI standards are truly consensus-based and will pressure federal agencies and state governments to require the use of ANSI standards for green building, thus effectively **banning the use of LEED**.

2006



In 2006, Cascadia Green Building Council, the Pacific Northwest regional chapter of USGBC, and Canada Green Building Council launch the world's most stringent green building program, the **Living Building Challenge** (LBC). Among other things, the LBC requires that all wood used in a "Living Building" be FSC-certified (or salvaged/reclaimed) and establishes a "red list" of toxic chemicals that must be avoided.

2010



In 2010, GSA upgrades its LEED policy to require its buildings to achieve LEED Gold.

But Also in 2010



But also in 2010, special interest lobbying against the green building movement reaches new levels. At SFI's behest, 79 members of the House of Representatives from 35 states sign **a letter** to USGBC, saying that they should "accept all credible forest management certification systems for qualification under the LEED rating system." Seven governors send similar letters, bringing the total to 12 governors, counting similar letters in 2008-9.

2011



In 2011 Maine bans the use of LEED for state projects, marking the beginning of political attacks on LEED at the state level. The ban comes in the form of **an executive order** issued by Republican governor Paul LePage, a Tea Party favorite. The order stipulates that only green building rating systems that treat all forest certification systems as equivalent shall be used for state construction. This effectively bans LEED because of its exclusive recognition of FSC and paves the way for Green Globes.

2012



In 2012, the **American High Performance Building Coalition** (AHPBC), a new anti-LEED coalition front group, is formed. The membership of the AHPBC includes many of the companies and trade associations that support the GBI with the notable addition of the US Chamber of Commerce and the National Association of Manufacturers.

AHPBC subsequently orchestrates numerous efforts in the U.S. Congress to force GSA and other federal agencies to abandon their use of LEED and embrace Green Globes instead. For example, in May 2012, 56 U.S. senators and representatives sign on to **a letter** to the GSA administrator that argues, among other things, that LEED "is becoming a tool to punish chemical companies and plastics makers and spread misinformation about materials that have been at the forefront of improving environmental performance . . ."

At the state level, at the behest of the timber lobby, Georgia, Alabama, and Mississippi ban the use of LEED for state projects, replicating the language of the Maine executive order that the state shall only use green building rating systems that treat all forest certification systems as equivalent.

2013



In 2013, after numerous drafts and years of heated debate, USGBC members ratify a major update to the LEED rating system, **LEED v4**, that continues to recognize FSC-certified wood and does not recognize SFI. And for the first time, “chemicals of concern” are addressed with a credit rewarding material transparency with the goal of driving progress toward healthier buildings and building products. As we shall see, this triggers an escalation in reaction and resistance from those elements of the timber industry that oppose FSC and support SFI, as well as from the chemical and plastics industries who do not want green building to address the problem of hazardous chemicals in and related to building products.

And in November 2013

And in November 2013, while stating that it will continue to use LEED, GSA for the first time recommends Green Globes as well as LEED and the Living Building Challenge for federal government buildings, opening the door for Green Globes to become the preferred choice of other federal agencies.

2014

(The jury is still out on whether or not this is a positive or a negative . . .)



In January 2014, GBI/Green Globes announces the hiring of a new president, replacing the timber industry’s Ward Hubbel. Jerry Yudelson, a green building expert and LEED Fellow, takes the reins, averring in various interviews that he is dedicated to bringing healthy competition and greater efficiency to the green building market: “Green Globes is another tool, and I believe there are many paths, one goal.”⁸ He insists that he is not anti-LEED, telling LEEDuser that he views GBI’s role as that of a “friendly competitor” rather than a nemesis and distancing himself from his predecessor, lobbyist Ward Hubbel: “It’s a new beginning. We pushed the reset button.”⁹

⁸ “**An Interview with Jerry Yudelson, President, The Green Building Initiative,**” *Building Design & Construction*, January 6, 2014

⁹ “**LEED Fellow Yudelson to Lead Rival Green Globes,**” *LEEDuser*, January 8, 2014

And yet in February 2014



And yet in February 2014, succumbing to pressure from the chemical and plastics industries, the Ohio state senate passes a resolution encouraging state agencies to cease using LEED and to instead use “green building rating systems . . . that have been developed pursuant to **ANSI procedure**.”

And in March 2014



LEED EXPOSED

And in March 2014, a group called the Environmental Policy Alliance unveils LEED Exposed, including an anti-LEED website (www.leedexposed.com) and a study claiming that LEED certified buildings in Washington, D.C. use more energy than non-certified buildings. **TreeHugger**, **Architect Magazine** and **Huffington Post** subsequently reveal that the Environmental Policy Alliance is the latest of numerous front organizations created by PR operative and “astroturfer”¹⁰ Rick Berman. So notorious is Berman that CBS’ 60 minutes once called him “Dr. Evil” and a public interest group maintains a website devoted to exposing his activities (www.bermanexposed.org). In the past, Berman’s clients in the tobacco, agribusiness and beverage industries have funded campaigns against smoking restrictions, the Humane Society, and Mothers Against Drunk Driving. Inquiring minds must ask: Who could be funding the Environmental Policy Alliance?



Jerry Yudelson’s public statements notwithstanding, the fact is that the industries that created his organization and remain its major funders are waging war against USGBC, LEED, and FSC and are impeding progress toward a healthier, more sustainable built environment.

¹⁰ The *Journal of Business Ethics* describes astroturf organizations as “fake organizations usually sponsored by large corporations to support any arguments or claims in their favor, and to challenge and deny those against them.”

2014

In May 2014

greenwash ACTION

In May 2014, **Greenwash Action**, a joint initiative of Sierra Club and Greenpeace, launches. Greenwash Action's first action is to release an open letter calling on Jerry Yudelson and the Green Building Initiative to:

1. either strengthen Green Globes or reposition it as an entry-level, light-green building standard;
2. cease the war on LEED and FSC; and
3. join environmentalists and green building proponents in pursuing constructive solutions to our serious environmental problems.

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greenwashaction.org



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Greenwash Action is a project of Earth Island Institute, a California non-profit 501(c)(3) organization.